FOR MYSORE STATE

P.W. (1951) Department.

Rt. SERIES.

G.O. NO. 554

554

Dated 3.1.52.

[Despatch Abstract.]

LAND ACQUISITION - South Kanara District - Mangalore Taluk - Surathkal village S.No. 142/3 B etc., for metal quarry for the Highways Department - Declaration under Section 6 of the Land Acquisition Act - Published.

Revenue Department.

Subject.

Land Acquisition - South Kanara Dt. - Mangalore Tk.- Surathkal village - S.No.142/3-B etc. - for metal quarry for the Highways Depart. - Draft Declaration - Submitted.

Reference: Madras. Rc.No.I.307/51-3 dated 19-3-51.

Sri K.S.Thomas, B.A., Jt. Secretary,
Board of Revenue.

From V.R.Sattianathan, ICS., Commissioner of Land Revenue.

To The Collector of S.Kanara, R.Dis.2903/51 dated 22-1-51.

" " R.Dis.4481/51 dated 27-2-51.

REFERENCE:

Submitted to the Government.

2/ In the circumstances reported the Board recommend that the objections to the acquisition may be over-ruled; the draft declaration under section 6 of the Land Acquisition Act submitted by the Collector of South Kanara may be approved and ordered to be published in the Fort St. George Gazette.

For Jt. Secretary.

To The Secretary to Government, P.W.Dept., with the enclosures in original.

K.t.s.19/3.

R.Dis. 28031/49. SOUTH KANARA COLLECTOR'S PATCH, Mangalore, dated 23-1-1951.

From

Sri. A. R. Rajaratnam, B.A.,
Collector of South Kanara.

To

The Secretary to Government,
Public Works Department,
Fort St.George, Madras 9.

Through

The Secretary to the Board of Revenue,
Land Revenue,Chepauk, Madras 5
(in duplicate)

Sir,

LAND ACQUISITION: - South Kanara District Mangalore Taluk - Surathkal Village - S. No. 142/3 B etc., for metal quarry for the Highways Department - Draft Declaration - submitted.

REF:- G.O. Rt. No.1354 Public Works Department dated 23rd December 1949.

At the instance of the Divisional Engineer, Highways South Kanara, Mangalore, a draft 4 (1) notification for the acquisition of S.Nos. 141/35/B2, 141/35C1 etc., of Surathkal village for the purpose of metal quarry for the use of roads vested in the Highways Department was submitted to Government and the sanction approved in G.O. Rt.No.1354 Public Works Department dated 23rd December 1949, and was published at pages 38-39 of Part I of the Fort. St.George Gazette dated 10-1-1950.

In response to the notices issued under section 4(1) and 5A of the Land Acquisition Act, four objections have been received to the proposed acquisition. They are dealt with below:-

1. Vittal Ranga Kamath:- He is the registered holder of S.No. 142/3B which contains the proposed quarry. He is also the owner of paddy fields adjoining S.No.142/3B. The objections raised by him are that pieces of granite blocks flying from the quarry while blasting will get embedded in the neighbouring paddy fields etc., that the rain water course which exists at the southern corner of the plot and which is the source of water supply for agricultural purposes to the adjoining fields will get blocked on account of the granite boulders and splinters flying and accumulating on the bed of the water course, that the plot selected for the metal quarry is situated in the midst of paddy fields and as such, portions of these fields will also have to be acquired for ~~lying~~ laying out an approach road to the quarry and that quarrying of metal will jeopardise the ~~the~~ stability of the temple nearby and the tenants huts situated close to it. He also says that there are better quarries in S.No. 64/49 and 35 of Iddya village situated close to the road.

2. Sri. Narasimha Nayya:- He is the mulagenidar of S.No. 142/3B 1 and 32/B. The objections raised by him are also similar in nature as ~~that~~ those of Sri. Vittal Rangakamath.

P.T.O.

3. Sri. L. Ramakrishnayya:- He is the ~~chalgenidar~~ Mulgeny of S.No. ~~141/24,35~~ 141/2, 32 and 35. His objections are also identical with those contained in the two petitions mentioned above.

4. Sri. Annu Koili: - He is the chalgenidar of S.No.141/24,35 and 142/3 etc., His objections are also similar to ~~that~~ those mentioned above.

5. Sri. S. Narayana Narath:- This is similar to the objections raised in the Ist petition.

The Revenue Divisional Officer, Mangalore who is the Land Acquisition Officer in this case held a joint inspection of the plots on 25-7-1950 along with the Divisional Engineer Highways, Mangalore. A copy of the notes of inspection drawn up jointly by the Divisional Engineer and the Land Acquisition Officer is enclosed. The objections raised by the owners have been discussed therein further and in view of the safeguards guaranteed by the Divisional Engineer, there is no objection to proceed with the proposed acquisition. The main objection relating to the rock pieces getting embedded in the adjoining paddy fields is proposed to be remedied by the Divisional Engineer by stopping the blasting operations in the quarry between June and December when the fields will be wet and the rock pieces may likely get stuck up. He proposes to have the quarrying operations only after December each year, when the soil gets hardened and the rock pieces could be picked out and removed. There is another quarry at mile 3/4 of the Surathkal Bajpe Road but the Divisional Engineer is reluctant to select it.

I submit therewith the draft declaration in duplicate under section 6 of the Land Acquisition Act which may kindly be approved and get published in the Fort St.George Gazette at an early date. The served copy of the notices issued at the time of the 5A enquiry and the objection petitions received in response to it are enclosed for perusal and return. A topo sketch of the plot is also enclosed. The cost of acquisition in this case is Rs. 830-1-4. In their order G.O. Rt. No. 913 Public Works Department dated 15-7-1950 the Government have sanctioned an estimate of Rs. 1075/- for the acquisition of 81 cents of land for a metal quarry.

Yours faithfully,

for Collector.

kvr/23-2-1951.

NOTES OF JOINT INSPECTION.
Surathkal Metal quarry Land Requisition.

Had joint inspection today along with the Divisional Engineer Highways. The objections regarding shock to the temple foundation was considered to be rather farfetched as there is sufficient cushion of earth over the rock as indicated by the growth of big trees in between the quarry site and the Temple. The distance is also sufficiently large to ~~ensure~~ safety to the Temple. As regards objection of preventing the flow of water in the channel to the South of the quarry it is assured that there is no chance of any blocking of the free flow of drainage water. Regarding the apprehension that salt water coming in during high tide getting blocked up in the quarry pits and over-flowing into the fields below it will be remembered that the quarrying will not be done below sea water level even at high tide. As regards the danger of rock pieces flying into the fields at the time of blasting operations for quarrying the chances are that such pieces would not fly to the fields in S.No.142/24, 141/35 C2 on the east and North East of the quarry as the jumping of holes for putting in gunpowder for blasting is done at an angle away from those fields as the rock is sloping towards the southern fields in S.No.142. With regard to the danger of stone pieces falling in S.No.142 which are all two-crops lands the High Ways Department is agreeable not to have the blasting operations between June and December when the fields will be wet and the stones will get embedded in the fields and thereby cause danger to cattle and men working in the fields ~~and thereby cause danger to cattle and~~ If quarrying is done after December when the soil in the fields will get hardened the pieces of rock flying into the fields could be picked out and removed. With these safeguards the acquisition is unobjectionable.

The quarry is expected to yield metal for the High-ways Department for a period of at least ten years. This quarry is preferred now also on account of the long lead involved in getting metal from the quarry at milo 2/0 on the Surathkal Pajpe Road. The loss is expected to be at least Rs.2000/- per year due to the difference in lead.

6

The Collector who was also present during the joint inspection of both the quarries has also agreed with the above views.

Sd/- M.U.Samitha
25-7-1950.
Divisional Engineer,
Highways Mangalore.

Sd/- S.U.P.Nayak,
25-7-50.
Assistant Divisional Officer,
Mangalore.

/True copy/

for COLLECTOR.

~~Ref.C.No.3295/48-D~~. (~~L.A.C.4/48~~)

N O T I F I C A T I O N.

Under section 6 of the Land Acquisition Act His Excellency the Governor of Madras hereby declares that the land specified below and measuring acres 0.81 be the same a little more or less, is needed for a public purpose, to wit, for the purpose of a metal quarry for the use of the roads vested in the Highways Department and under sections 3 and 7 of the same Act, the Revenue Divisional Officer, Mangalore, is appointed to perform the ~~fou~~ functions of a Collector under the Act and directed to take order for the acquisition of the said land. A plan of the land is kept in the office of the Revenue Divisional Officer ~~and~~ Mangalore and may be inspected at any time during office hours.

SCHEDULE.

District.	Taluk	Village.	Description of land wet or dry, inam or proamboke, with survey or paimash number.	Name of owner of occupier.	BOUNDARIES OF THE LAND REQUIRED TO BE TAKEN UP				Extent to be taken up
					NORTH	EAST	SOUTH	WEST	
1	2	4	4	5	6	7	8	9	10
									A. C.
South Kanara.	Mangalore.	Surathkal	Ryotwari Wet-III. S.No.141/~~34B2~~ 3502	Venkat Rao and Ramakrishnayya (Registered holder) Narasimha Mayya (Mulgenidar) Vittal Kamath (Valamulgenidar) Annu Moili (Chalgeni tenant) S.Narayana Acharya (Arwardar of Venkat Rao's share)	-	-	-	-	0 - 08
			-do- S.No.141/35C1.	-do-					0 - 05
			Ryotwari Dry. S.No.142/3B	Vittal Kamath (Registered Holder) Annu Moili (Chalgeni tenant.)					0 - 54
			Ryotwari Wet III S.No.141/ 24 A.	Venkat Rao & Ramakrishnaya (Regd.holder) Vittal Kamath (Mulgenidar) Annu Moili (Chalgeni tenant) ~~Annu Moili (C~~ S.Narayana Acharya (Arwardar of Venkat Rao's share).					0 - 01
			Ryotwari Wet III.S.No.141/ 28 B.	Venkat Rao& Ramakrishnayya (Registered holder) Narasimha Mayya (Mulgenidar) Sri.S.Narayana Acharya) Arwardar of Venkat Rau's share)					0 - 07
			Ryotwari Dry. S.No.141/32B.	Venkat Rao & Ramakrishnayya (Regd. holder). Narasimha Mayya (Mulgenidar) S.Narayana Acharya (Arwardar of Venkat Rao's Share)					0 - 06

South Kanara Collector's Office,
Mangalore, dated 23- 1- 1951.

for COLLECTOR.

22/3/5

P.W.D.G

SUB: LAND ACQUISITION - South Kanara Dist. Mangalore Taluk - Surathkal village S.No.142/3 B etc - for metal quarry for the Highways Deptt - Declaration under Sec. 6 of the L.A. Act - published.

Read: G.O.Rt.No.1354 P.W. dated 23-12-49
From the Collector of South Kanara R.Dis.29031/49 dated 23-1-1951.
From the Bd. of Rev. Ref.I.907/51-2 dated 19-3-1951.

***

G.O.Rt. 554 dated. 3/5/51

The draft declaration under Section 6 of the Land Acquisition Act submitted by the Board of Revenue with its reference cited, is approved and is forwarded to the Superintendent, Government Press for publication in the Fort St. George, Gazette.

2. The Government accept the recommendation of the Board of Revenue that the objections raised for the acquisition of the lands may be overruled.

3. A copy of the Collector's letter dated 23-1-1951 is communicated to the C.E.(H). It is considered that the objections raised by Sri Vittal Ranga Kamath and others for the acquisition of the lands required for the quarry are real. The C.E.(H) is therefore requested to issue necessary instructions to the Divisional Engineer (H) Mangalore to adhere to his promise, not to undertake blasting operations during the season i.e. June to December when the fields will be wet and pieces of

2

granite flying from the blasting will get embedded in the paddy-fields and also obstruct the water course

To the C.W.P. para 1 only with a declaration for publication (p. 9 c.f. in original)

The Board of Revenue, Madras.

To the Collector of South Kanara Mangalore (11-33 c.f. in origi)

To the C.E. (H) with copy of pp 3-4- c.f.

Copy for stock file.
2 spare copies.

P.W.(G)

Sub: Land Acquisition – South Kanara Dt. – Mangalore Taluk – Surathkal village – S.Nos. 142/3-B etc. for metal quarry for the Highways Deptt – Declaration under Sec. 6 of the L.A. Act – published.

Read: ~~From the Collector of South K~~
G.O. Rt. No. 1354 P.W. d. 23.12.49,
From the Collector of South Kanara
R.Dis. 29031/49 d. 23.1.51.
From the Board of Rev. Ref. I. 907/51-2
d. 19.3.51.

(W)
pp 3-4 c.f
p 1 c.f

G.O. Rt.

p.7 c.f

The draft declaration under Sec. 6 of the L.A. Act submitted by the Board of Revenue with its reference cited, is approved and is forwarded to the S.G.P. for publication in the Fort St. George Gazette.

2/ The Govt. accept the recommendation of the Board of Rev. that the objections raised for the acquisition of the lands ~~must~~ be over-ruled.

To
The S.G.P. with a declaration for publication (p. 9 c.f in Nijmal).
" Board of Rev.
" Collector of South Kanara, Mangalore (with pp 11-33 c.f in Nijmal)
Copy for stock file.

para 1 only.
p 1 c.f
27.3.51

X X V
2857
For Addl. Dy. Sy. to Govt.

Note:

pp 3-4 c.f
p 1 c.f

para 3 p 4 c.f
p 1 c.f

Please see the letter from the Collector of South Kanara at pp 3-4 c.f and the recommendation of the Board of Rev. at p. 1 c.f. In the circumstances reported by the Collector in para 3 of his letter at p 4 c.f, ~~and the matter~~ the Board has recommended that the objections raised to the acquisition of the lands might be over-ruled. This may be accepted. The draft above is for approval.

Rev. may see.

2857

P.W. no. 1326 G/51-1

SECRETARY TO GOVT
25242
3 MAR 1951
27.3.51

2/ Q

1604

Rev. Dept.

To H.S.

The draft order on page 1 above may be perused and the file returned to P.W. This dept. may agree that the objections to the acqn. may be overruled.

Yes. But in dept my others the fact that the objection raised at M or H I.C.J. was that the Dir. agreed to hedges must allow his promise NOT to undertake clearing operations during the season JUNE to DECEMBER — when the fields are wet & grants flying on the clearing are yet embedded in the peat paddy fields and also without the water course. P.W. may be requested to give instructions to the Highways Ltr accordingly

Sd
4/4/57

Sd
30/3/57

Sd
31.3.57

P.W.(Q)

Please see the draft order at p. 1 ante and the remarks of the Secretary Rev. Deptl. above. Necessary instructions may be given to the C.E.(B) in the matter. A revised draft is submitted for approval

Sd
18.4.57

Sd
13.4.57

Rev myself after Ltr from C.E.

Sd
19/4/57

Sd
19/4/57

P.W.D. Rev No. 132[illegible]-1-3
30547/C 20.4.57

Rev. dept.

To H.S.

The draft order as revised by the P.W. dept may be perused and the file returned to P.W.D.

Sd
23/4/57

Sd
11/5/57

P.W.D

Sd
24.4.57.

Rev No. 30547/1
Addl Secy
21/5/57

Sd
21/5/57

Sd
21/5/57 (for Secy)